

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of Tadeusz Kemnitz
Appln. No.: 09/879,623
Filed: 06/13/2001
Examiner: Tran, Louis B.
Art Unit: 3721
Atty. Docket No.: P-9913a

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Commissioner for Patents
Alexandria, VA 22313

Sir:

**ATTORNEY'S STATEMENT UNDER 37 C.F.R. 1.8(b)(3) CERTIFICATE OF
MAILING OR TRANSMISSION**

This Statement is submitted under 37 CFR 1.8 (b)(3) in support of a timely filed Amendment After Final Action and its accompanying Certificate of Mailing dated 12/10/03 in the above-captioned case upon becoming aware that the USPTO had no evidence of receipt of the aforementioned Amendment.

STATEMENT

I, Clifford F. Rey, attorney for the applicant, hereby attest based on personal knowledge that on December 10, 2003, a document entitled, Amendment After Final Action filed under 37 CFR §1.116 pertaining to this case and responsive to a Final Rejection in this case dated September 16, 2003 was deposited with the United States Postal Service on December 10, 2003 with sufficient postage addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

A duplicate copy of the previously filed Amendment including a copy of the original Certificate of Mailing dated 12/10/03 attached thereto was submitted to PTO Customer Service by facsimile transmission on April 5, 2004 when I became aware that the USPTO had no evidence of receipt of the previously filed Amendment After Final Rejection.

If the USPTO requires any additional evidence that the aforementioned
Amendment was timely filed on 12/10/03, please contact the undersigned attorney.

Respectfully submitted,

Date: 5-5-04

By Clifford F. Rey

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